

## **Mandating Training for Zoning Board of Appeals and Planning Board Members: Sample Ordinances from Suffolk County Municipalities**

Planning and zoning boards are made up of the people who can recommend, implement and sometimes enforce the zoning laws and comprehensive plans within their respective communities. All of the 41 municipalities in Suffolk County are empowered by the Town and Village Laws of New York State to plan and create land use regulations and all have planning and zoning boards made up of citizens of their communities.

No fundamental can be more important to efficient planning than the predictability of process and procedure. At times, planning and zoning boards do not know their realm of authority. “You can’t do that” cries the applicant, “I didn’t know we had the power to do that” exclaims the Board member and “you should have done it this way” mandates the courts, are too often reverberated in the rhetoric attributed to planning decisions.

Knowledgeable boards and applicants bring about better planning. Awareness of current planning trends, techniques and court decisions, as well as refreshers on the fundamentals, is critical for all planning practitioners. The Suffolk County Planning Federation and the American Planning Association are dedicated to the improvement of planning practice through continuous training and education. *The Case for Planning and Zoning Board Training*, a paper on enabling legislation and court opinions regarding training, is included in this section.

Four municipalities in Suffolk County have taken the bold step of requiring all planning and zoning appeals board members to complete a certain continuous level of training as a condition of membership. They are: the Town of Brookhaven, the Town of Huntington, the Village of Huntington Bay and the Village of Port Jefferson. These municipalities have set a new standard for planning and zoning board membership and are to be congratulated.

While the form of the following ordinances vary, the theme is the same. These regulations are provided as examples of training requirements and can be used as groundwork for drafting legislation in any Suffolk municipality.



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The Case for Planning and Zoning Board Training  
By James F. Gesualdi, Esq.<sup>1</sup>

Every week planning and zoning boards make critical decisions which shape the face and future of many communities. Many of our fellow citizens who serve on these boards do so as volunteers in the name of public service. Often their roles place them in the difficult position of making decisions on controversial matters requiring great attention and specific expertise. The challenges confronting such board members are multiplied in small municipalities with little or no professional support staff. Although these board members by and large perform commendable public service, their effectiveness and abilities can be enhanced, and the weightiness of material they may deal with can be made more understandable through planned education rather than solely depending upon “on-the-job” training, which is the usual manner in which board members learn their jobs.

In recognition of the important role of planning and zoning board members, and the critical issues and projects they are entrusted to review, the State legislature has empowered municipalities to require, as they see fit, training and continuing education for such board members. More specifically, the enabling legislation, enacted in 1992 provides that those appointing zoning and/or planning board members may require appointees “to complete training and continuing education courses in accordance with any local requirements for the training of such members.”<sup>2</sup> This approach balanced the interests of those supportive of mandatory training such as the building industry, professional planners and attorneys, with those municipal associations including NYCOM (New York Conference of Mayors and Municipal Officials) interested in training but concerned about mandatory training as an unfunded mandate. Beyond the costs of mandatory training, there has also been concern about the chilling effect of additional responsibilities being thrust on volunteers or modestly compensated board members.

In the decade since the State Legislature opened the door for more formal training there has been a gradual increase in such programs. A 2000 informal NYCOM survey of cities and villages found that about thirteen percent (13%) of responding municipalities required training for planning board members while approximately fourteen percent (14%) required training for zoning board members. Several other municipalities indicated that, although training was not required, it was provided, offered or encouraged. In some cases it is recommended by the municipality, in other cases by a particular board chairperson. In some instances, where training is not required, Village Attorney conducted programs, written materials and/or funding for participation in outside programs are made available.

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<sup>2</sup> Village Law § 7-712(3) and § 7-718(1).

Thus, while some municipalities may have modest training efforts, formal, practical, training programs nevertheless appear to remain limited to those programs conducted by certain planning and other organizations like NYCOM and the New York State Department of State's Local Government Services. Among the most noteworthy programs is the comprehensive training coordinated by Rockland County's Municipal Planning Federation. In this new era of mandatory continuing legal education for attorneys, certain other associations, firms, and law schools periodically hold related legal programs, but there still appears to be a void in terms of a holistic, multi-disciplinary, practice-oriented training program for board members themselves.

On the local level, municipalities like the Incorporated Villages of Port Jefferson and Huntington Bay, and the Town of Brookhaven on Long Island, have incorporated extensive training related provisions in their local codes.<sup>3</sup> Such laws expressly recognize that such training is "essential" and necessitates the need for municipal requirements as well as financial support. In addition to specifying training requirements in terms of hours per year, these laws also take care to note that failure to obtain such training shall not affect the member's appointment to serve, or ability to vote or "the validity of such members actions".<sup>4</sup> The Town of Huntington has also established a minimum annual training and continuing education requirement for board members.<sup>5</sup> The laws do, however, provide that failure to comply with the minimum requirements for such training does amount to "cause" for removal of such member, and in some cases set forth procedures for such action.

A recent federal case involving New York municipalities and administrative enforcement activities (rather than board action) further underscores the potential importance of training programs. In that case, the Northern District of New York held that failure to properly train can amount to a claim against a municipality. The court noted, as follows:

A municipality may be held liable for failure to train its employees "only where the failure to train amounts to deliberate indifference" to the constitutional rights of the municipality's citizens. . . . The failure to train must "reflect[] a 'deliberate' or 'conscious' choice by a municipality." . . . Thus, a municipality may be liable on a claim for failure to train only where "the need for more or different training is so obvious, and the inadequacy so likely to result in the violation of constitutional rights. . . ."<sup>6</sup>

It would seem that a training program, and/or enhancements to existing programs crafted to build upon the abilities of dedicated board members throughout the State, would benefit these boards, those who appear before them, and the communities they service. Perhaps a combination of State, regional and municipality-specific training could serve to fill this void. Certainly, such training, when done in partnership by several municipalities, would be cost-effective to the municipalities and, perhaps, would help to lower the cost of the insurance coverage which municipalities must have to protect themselves against lawsuits alleging improprieties in planning and zoning determinations. The wisdom of expanding such programs has recently been noted in the Suffolk County Smart Growth Policy Plan (2000), and even in the media. As noted in a December, 2000 Newsday editorial on the Suffolk plan, "[a]nother good idea is gradually to train members of town and village zoning, planning and governing boards . . .".<sup>7</sup>

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<sup>3</sup> Incorporated Village of Port Jefferson Village Code § 250-54.1 – 54.8. See also, Incorporated Village of Huntington Bay Local Law No. 8-2002, and Town of Brookhaven Local Law No. 23-2002.

<sup>4</sup> Incorporated Village of Port Jefferson Village Code § 250.54.5.

<sup>5</sup> Town of Huntington Local Law No. 28-2002 § 2-3.

<sup>6</sup> Leland v. Moran, 100 F.Supp.2d 140 (N.D.N.Y. 2000).

<sup>7</sup> "A Few Smart Ideas to Advance Suffolk's Smart Growth," Newsday, December 6, 2000.

## **ARTICLE IIIA, Training [Added 11-7-2002 by L.L. No. 23-2002, effective 11-12-2002]**

### **§ 85-25.1. Title.**

This article shall be entitled "A local law to provide for required training for members of the Planning Board and Zoning Board of Appeals."

### **§ 85-25.2. Purpose and intent.**

- A. The Town Board finds that appropriate training of Zoning Board of Appeals and Planning Board members is essential.
- B. It is the purpose of this article to assist Zoning and Planning Board members in obtaining training to enhance their ability to carry out their duties under law and to pay the costs of such training as a Town charge.
- C. It is also the purpose of this article to establish minimum training and continuing education course requirements for such members.

### **§ 85-25.3. Minimum training requirements.**

- A. All members of the Zoning Board of Appeals and Planning Board shall be required to attend a minimum of six hours of relevant training courses within each year from the date of their initial appointment to such Board.
- B. Noncompliance with minimum requirements relating to training shall be deemed a proper cause for removal from office.
- C. The costs of such seminars, workshops or continuing education courses so designated shall be a Town charge. Members shall also be reimbursed for travel, lodging and meal expenses according to Town policies. Such training sessions shall be approved in advance by the Town Board, which approval shall not be unreasonably withheld.

### **§ 85-25.4. Approved training courses.**

The Town Board, after discussion with the Chairpersons of the Zoning Board of Appeals and Planning Board, shall annually designate such seminars, workshops or continuing education courses which may be offered within a reasonable distance and which may be helpful to or be of assistance to the Zoning Board of Appeals and/or Planning Board in carrying out its functions in a timely, fair and lawful manner.

### **§ 85-25.5. Lack of training not to affect validity of members' actions.**

Notwithstanding the foregoing, the failure of a member of the Planning Board or Zoning Board of Appeals to obtain such training shall not affect said person's appointment to serve on such Board, to entertain applications, to vote on such applications or the validity of such member's actions.

**§ 85-25.6. Procedure for removal of member.**

The Chairperson of the Zoning Board of Appeals and the Chairperson of the Planning Board shall notify the Town Clerk in writing, on or about May 1 in any year of any member who fails to comply with the minimum requirements for training in any fiscal year of the Town. In the event that a member of the Zoning Board of Appeals or Planning Board has failed to complete the minimum training requirements set forth in § 85-25.3, then the Town Board may remove such member for cause as herein provided.

- A. Notice. Such member shall be mailed a written notice, by certified mail, return receipt requested, specifying the nature of the failure of such member to meet the minimum requirements of § 85-25.3 above.
- B. Public hearing. Such notice shall specify a date, not less than ten (10) or more than thirty (30) days from the date of mailing such notice, when the Town Board shall convene and hold a public hearing on whether or not such member should be removed from service on such Board. Such notice shall also specify the time and place of such hearing.
- C. Public notice. Public notice of such hearing shall be published at least ten (10) days prior to the date of the public hearing.
- D. Conduct of hearing. The public hearing on the charges shall be conducted before the Town Board. The member shall be given an opportunity to present evidence and to call witnesses to refute the charges. A record of such hearing shall be made. The decision of the Town Board shall be reduced to writing, together with specific findings of the Town Board with respect to each charge against such member. A copy of such decision and such findings shall be mailed to the member and a copy filed with the Town Clerk.
- E. Action by the Town Board. Following the hearing and upon a finding that such member has not met the minimum training established by this article, the Town Board, with thirty (30) days of such finding, may:
  - (1) Remove such member from the Zoning Board of Appeals or Planning Board; or
  - (2) Issue a written reprimand to such member without removing such member from such Board; or
  - (3) If the Town Board shall find that the reasons for failing to meet the minimum training requirements are excusable because of illness, injury or other good and sufficient cause, the Town Board may elect to take no action.

**§ 85-25.7. Removal for cause.**

Nothing contained herein shall be deemed to limit or restrict the Town Board's authority to remove a member from the Zoning Board of Appeals or Planning Board for cause (i.e., for other than the reasons enumerated herein). The procedural provisions of § 85-25.6, Procedure for removal of member, shall govern any hearing to remove a member for cause.

**§ 85-25.8. When effective; applicability.**

- A. This article shall become effective upon filing with the New York State Secretary of State.
- B. This article shall apply to all members of the Town of Brookhaven Zoning Board of Appeals and Planning Board regardless of the date of their appointment to such Boards.

## Chapter 2, FAIR, OPEN AND ACCOUNTABLE GOVERNMENT

[HISTORY: Adopted by the Town Board of the Town of Huntington 8-6-2002 by L.L. No. 28-2002. Amendments noted where applicable.]

### GENERAL REFERENCES

Defense and indemnification -- [See Ch. 19.](#)  
Ethics -- [See Ch. 29.](#)

#### § 2-1. Legislative findings and intent.

The Town Board hereby finds that fair, open, accessible and accountable government greatly improves the quality of government activities, increases resident involvement and best serves the public interest. To promote these goals, it is the intent of the Town Board that all of its appointed public bodies, whether paid or unpaid, whether advisory or vested with statutory authority, comply with both the letter and the spirit of all applicable state and local laws, especially those relating to open meetings, freedom of information and timely action on the matters under consideration. In furtherance of the foregoing, this act shall be known as the "Fair, Open and Accountable Government Act."

#### § 2-2. Procedural and general requirements.

All members of Boards, Committees, Councils, Commissions or other similar bodies, appointed by the Town Board or other Town official with authority to do so, shall, to the fullest extent possible, with any uncertainty being resolved in favor of public disclosure and access, comply with all applicable state and local laws and ordinances, including but not limited to the following:

- A. The Open Meetings Law of the State of New York and the Public Officers Law § 103, as amended from time to time; and
- B. All votes on applications or other matters shall be made in public and accurately recorded in minutes by hand, by a stenographer or by electronic means; and
- C. All meetings shall be held in a place that can accommodate members of the public reasonably expected to attend, except in the case of the Zoning Board of Appeals and the Planning Board. The meetings of these Boards (when a quorum is present) must be held in the public hearing room in Town Hall, also known as the "Town Board Room," provided that for procedural, nonsubstantive or executive session matters, said Boards may meet in Room 114 in Town Hall or another similar room that is accessible for the physically challenged and which has seating for at least twenty (20) members of the public; provided further that this will not preclude a site visit for information purposes only where no votes are taken; provided further that all meetings and votes of the Zoning Board of Appeals and the Planning Board shall take place in open session in the Town Board Room, unless that room is not available, in which case Room 114 or another similar room that is accessible for the physically challenged and which has seating for at least twenty (20) members of the public may be used; and [Amended 2-11-2003 by L.L. No. 4-2003]
- D. The Freedom of Information Law of the State of New York, as embodied in Public Officers Law § 84 et seq., as amended from time to time; and
- E. All applicable provisions of the Town Law of the State of New York, including but not limited to the requirements in Town Law §§ 267-a(8) and (9) regarding the time period in which the Zoning Board of Appeals must render and file its decisions and give notice thereof.

#### § 2-3. Training and continuing education requirements.

All members of the Zoning Board of Appeals, Planning Board and Board of Assessment Review shall complete the following training and continuing education requirements as a condition to service:

- A. Upon initial appointment, to attend a 3-hour seminar, which will include procedural, due process, ethics and other subjects relevant to the Board's functions, presented by the Director of Planning and/or Town Attorney and/or the Town Assessor in the case of the Board of Assessment Review only, or their designee(s);
- B. Annually attend a course, class, workshop and/or seminar in a relevant subject matter of at least three (3) hours' duration. The Town Attorney or their designee(s) must approve said continuing education. Proof of such attendance in a form satisfactory to the Town Attorney shall be filed by the appointee in the Town Clerk's office by December 31 of each year of service, with a copy to the Town Attorney.

**§ 2-4. Removal from office.**

The failure of any Board member to comply with the foregoing training and education requirements shall be grounds for removal by the Town Board after a public hearing. In addition, in the event of a violation of any other requirement as set forth in this chapter, it shall be grounds for removal of an appointed member if they fail to object to said violation (where they have knowledge or reasonably should have known of same) either in the recorded minutes or in a writing filed with the Town Clerk, the Secretary of the appointed public body and the Town Attorney. These grounds for removal shall be in addition to and not in derogation of any other grounds provided by law.



# INCORPORATED VILLAGE OF HUNTINGTON BAY

## Local Law No. 7 of the Year 2002

A local law entitled, “Amendment to Village Code Regarding Training for Members of the Planning Board and Zoning Board of Appeals.”

Be it enacted by the Board of Trustees of the Incorporated Village of Huntington Bay as follows:

The Code of the Village of Huntington Bay is hereby amended to add Chapter 82 to read as follows:

### **Chapter 82**

#### **§82-1. Title**

This article shall be entitled “A local law to provide for required training for members of the Planning Board and Zoning Board of Appeals.”

#### **§82-2. Purpose and intent.**

- A. The Board of Trustees finds that appropriate training of Zoning Board of Appeals and Planning Board members is essential.
- B. The State of New York has recognized the importance of training in Village Law Sections 7-718(1) and 7-712(2).
- C. It is the purpose of this article to assist Zoning and Planning Board members in obtaining training to enhance their ability to carry out their duties under law and to pay the costs of such training as a village charge.
- D. It is also the purpose of this article to establish minimum training and continuing education course requirements for such members.

#### **§82-3. Minimum training requirements.**

- A. All members of the Zoning Board of Appeals and Planning Board shall be required to attend a minimum of six (6) hours in relevant training courses within one year from the date of their initial appointment to such Board and thereafter attend training sessions of not less than six (6) hours every two years thereafter. In the final twelve (12) months of any member’s term, such member shall attend training sessions of not less than three (3) hours.
- B. Noncompliance with minimum requirements relating to training shall be deemed a proper cause for removal of Zoning Board of Appeals members from office.
- C. The costs of such seminars, workshops or continuing education courses so designated shall be a village charge. Members shall also be reimbursed for travel, lodging and meal expenses according to village policies. Such training sessions shall be approved in advance by the Board of Trustees, which approval shall not be unreasonably withheld.

#### **§82-4. Approved training courses.**

The Board of Trustees, after discussion with the Chairperson of the Zoning Board of Appeals, shall annually designate such seminars, workshops or continuing education courses which may be offered within a reasonable distance and which may be helpful to or be of assistance to the Zoning Board of Appeals and/or Planning Board in carrying out its functions in a timely, fair and lawful manner.

#### **§82-5. Lack of training not to affect validity of members’ actions.**

Notwithstanding the foregoing, the failure of a member of the Planning Board or Zoning Board of Appeals to obtain such training shall not affect said persons appointment to serve on such Board, to entertain applications, to vote on such applications or the validity of such member’s actions.

**§82-6. Procedure for removal of member.**

The Chairperson of the Zoning Board of Appeals shall notify the Village Clerk in writing, on or about May 1 in any year of any member who fails to comply with the minimum requirements for training in any fiscal year of the village. In the event that a member of the Zoning Board of Appeals has failed to complete the minimum training requirements set forth in §82-3, then the Board of Trustees may remove such member for cause as herein provided.

- A. Notice. Such member shall be mailed a written notice, by certified mail, return receipt requested, specifying the nature of the failure of such member to meet the minimum requirements of §82-3 above.
- B. Public hearing. Such notice shall specify a date, not less than ten (10) or more than thirty (30) days from the date of mailing such notice, when the Board of Trustees shall convene and hold a public hearing on whether or not such member should be removed from service on such Board. Such notice shall also specify the time and place of such hearing.
- C. Public notice. Public notice of such hearing shall be published at least ten (10) days prior to the date of the public hearing.
- D. Conduct of hearing. The public hearing on the charges shall be conducted before the Board of Trustees. The member shall be given an opportunity to present evidence and to call witnesses to refute the charges. A record of such hearing shall be made. The decision of the Board of Trustees shall be reduced to writing, together with specific findings of the Board of Trustees with respect to each charge against such member. A copy of such decision and such findings shall be mailed to the member and a copy filed with the Village Clerk.
- E. Action by the Board of Trustees. Following the hearing and upon a finding that such member has not met the minimum training established by this article, the Board of Trustees, within thirty (30) days of such finding, may:
  - (1) Remove such member from the Zoning Board of Appeals; or
  - (2) Issue a written reprimand to such member without removing such member from such Board; or
  - (3) If the Board of Trustees shall find that the reasons for failing to meet the minimum training requirements are excusable because of illness, injury or other good and sufficient cause, the Board of Trustees may elect to take no action.

**§82-7. Removal for cause.**

Nothing contained herein shall be deemed to limit or restrict the Board of Trustees authority to remove a member from the Zoning Board of Appeals or Planning Board for cause (i.e., for other than the reasons enumerated herein). The procedural provisions of §82.6, Procedure for removal of member, shall govern any hearing to remove a member for cause.

**§82-S. Severability.**

If any part or provision of this Chapter or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Chapter or the application thereof to other persons or circumstances, and the Board of Trustees of the Incorporated Village of Huntington Bay hereby declares that it would have passed this Chapter or the remainder thereof had such invalid application or invalid provision been apparent.

**§82-9. When effective; applicability.**

- A. This article shall become effective upon filing with the New York State Secretary of State.
- B. This article shall apply to all members of the Village of Huntington Bay Zoning Board of Appeals and Planning Board, regardless of the date of their appointment to such Boards.
- C. Prospective members of the Zoning Board of Appeals and Planning Board shall be notified of the requirements of this article prior to their appointment to such Board.

**ARTICLE XIVA, Training [Added 5-8-2000 by L.L. No. 9-2000]**

**§ 250-54.1. Title.**

This article shall be entitled "A local law to provide for required training for members of the Planning Board and Zoning Board of Appeals."

**§ 250-54.2. Purpose and intent.**

- A. The Village Board finds that appropriate training of Zoning Board of Appeals and Planning Board members is essential.
- B. The State of New York has recognized the importance of training in Village Law Sections 7-718(1) and 7-712(2).
- C. It is the purpose of this article to assist Zoning and Planning Board members in obtaining training to enhance their ability to carry out their duties under law and to pay the costs of such training as a village charge.
- D. It is also the purpose of this article to establish minimum training and continuing education course requirements for such members.

**§ 250-54.3. Minimum training requirements.**

- A. All members of the Zoning Board of Appeals and Planning Board shall be required to attend a minimum of six hours in relevant training courses within one year from the date of their initial appointment to such Board and thereafter attend training sessions of not less than six hours every two years thereafter. In the final 12 months of any member's term, such member shall attend training sessions of not less than three hours.
- B. Noncompliance with minimum requirements relating to training shall be deemed a proper cause for removal from office.
- C. The costs of such seminars, workshops or continuing education courses so designated shall be a village charge. Members shall also be reimbursed for travel, lodging and meal expenses according to village policies. Such training sessions shall be approved in advance by the Village Board, which approval shall not be unreasonably withheld.

**§ 250-54.4. Approved training courses.**

The Village Board, after discussion with the Chairpersons of the Zoning Board of Appeals and Planning Board, shall annually designate such seminars, workshops or continuing education courses which may be offered within a reasonable distance and which may be helpful to or be of assistance to the Zoning Board of Appeals and/or Planning Board in carrying out its functions in a timely, fair and lawful manner.

**§ 250-54.5. Lack of training not to affect validity of members' actions.**

PART II GENERAL LEGISLATION

Chapter 250, ZONING

ARTICLE XIVA, Training [Added 5-8-2000 by L.L. No. 9-2000]

Notwithstanding the foregoing, the failure of a member of the Planning Board or Zoning Board of Appeals to obtain such training shall not affect said person's appointment to serve on such Board, to entertain applications, to vote on such applications or the validity of such member's actions.

**§ 250-54.6. Procedure for removal of member.**

The Chairperson of the Zoning Board of Appeals and the Chairperson of the Planning Board shall notify the Village Clerk in writing, on or about May 1 in any year of any member who fails to comply with the minimum requirements for training in any fiscal year of the village. In the event that a member of the Zoning Board of Appeals or Planning Board has failed to complete the minimum training requirements set forth in § 250-54.3, then the Village Board may remove such member for cause as herein provided.

- A. Notice. Such member shall be mailed a written notice, by certified mail, return receipt requested, specifying the nature of the failure of such member to meet the minimum requirements of § 250-54.3 above.
- B. Public hearing. Such notice shall specify a date, not less than 10 or more than 30 days from the date of mailing such notice, when the Village Board shall convene and hold a public hearing on whether or not such member should be removed from service on such Board. Such notice shall also specify the time and place of such hearing.
- C. Public notice. Public notice of such hearing shall be published at least 10 days prior to the date of the public hearing.
- D. Conduct of hearing. The public hearing on the charges shall be conducted before the Village Board. The member shall be given an opportunity to present evidence and to call witnesses to refute the charges. A record of such hearing shall be made. The decision of the Village Board shall be reduced to writing, together with specific findings of the Village Board with respect to each charge against such member. A copy of such decision and such findings shall be mailed to the member and a copy filed with the Village Clerk.
- E. Action by the Village Board. Following the hearing and upon a finding that such member has not met the minimum training established by this article, the Village Board, within 30 days of such finding, may:
  - (1) Remove such member from the Zoning Board of Appeals or Planning Board; or
  - (2) Issue a written reprimand to such member without removing such member from such Board; or
  - (3) If the Village Board shall find that the reasons for failing to meet the minimum training requirements are excusable because of illness, injury or other good and sufficient cause, the Village Board may elect to take no action.

**§ 250-54.7. Removal for cause.**

Nothing contained herein shall be deemed to limit or restrict the Village Board's authority to remove a member from the Zoning Board of Appeals or Planning Board for cause (i.e., for other than the reasons enumerated herein). The procedural provisions of § 250-54.6, Procedure for removal of member, shall govern any hearing to remove a member for cause.

**§ 250-54.8. When effective; applicability.**

- A. This article shall become effective upon filing with the New York State Secretary of State.
- B. This article shall apply to all members of the Village of Port Jefferson Zoning Board of Appeals and Planning Board, regardless of the date of their appointment to such Boards.
- C. Prospective members of the Zoning Board of Appeals and Planning Board shall be notified of the requirements of this article prior to their appointment to such Board.